

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re Chapter 11
11 East 36th LLC, Case no. 13-11506
Debtor.

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In re Chapter 11
Morgan Lofts, LLC Case no. 13-11507

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11 East 36 Note Buyer LLC and Griffon V LLC,
Plaintiffs,
v. Adv. Proc.
11 East 36th LLC and Morgan Lofts, LLC.
Defendants.

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COMPLAINT

11 East 36 Note Buyer LLC (“Mortgagee”) and Griffin V LLC (“Griffon,” collectively with the Mortgagee, the “Mortgagees”), the Plaintiffs herein, by their attorneys Backenroth Frankel & Krinsky, LLP, as and for its Complaints against 11 East 35th LLC and Morgan Lofts, LLC (the “Debtors”), respectfully represent as follows: Pursuant to Federal Rule Civil Procedure 10(c), as adopted by Bankruptcy Rule 7010, the Mortgagees incorporates by reference their Motions to Continue Mortgagees in Possession, and for Injunctive Relief, filed contemporaneously with this Complaint in the Debtors’ main cases.

WHEREFORE, the Debtor respectfully requests that this Court enter (a) a declaratory judgment that the Mortgagees are not obligated to turnover management of the Debtors' real property to the Debtors, and (b) granting preliminary relief enjoining the Debtors from collecting or disbursing rental proceeds in connection, and directing turnover of books and records in connection therewith, and that the Court grant such other further and different relief as may be just and proper.

Dated: New York, New York
June 3, 2013

BACKENROTH FRANKEL & KRINSKY, LLP
Attorneys for the Mortgagees

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